

MONDAY, APRIL 2, 1990

EIGHTY-FIFTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. James Avaritt, Bellwood Baptist Church, Murfreesboro, Tennessee.

Representative Fred Hobbs led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 92

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

RULES SUSPENDED

Rep. Rhinehart moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 816 out of order, which motion prevailed.

House Joint Resolution No. 0816 -- Memorials, Public Service -- Honors Joyce H. Sweeney. by *Rhinehart.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Rhinehart, with the request that all members voting aye as sponsors, the resolution was adopted by the following vote:

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Ayes.	93
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Givens, Good, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Joint Resolution No. 0006 -- Constitutional Amendments -- Restructures state taxes; provides for state and local income and sales and use taxes; exemptions.**

Further consideration of House Joint Resolution No. 6, previously considered on May 17, 1989, and January 10, 1990, at which time Amendment No. 1 was adopted and the resolution was reset to the Calendar for April 2, 1990.

Rep. Naifeh moved that House Bill No. 6 be reset one week to the Calendar for Monday, April 9, 1990, which motion prevailed.

***House Joint Resolution No. 0007 -- Constitutional Amendments -- Restructures state taxes; provides for state and local income and sales and use taxes.**

Further consideration of House Joint Resolution No. 7, previously considered on May 17, 1989, and January 10, 1990, at which time Amendment No. 1 was adopted and the resolution was reset to the Calendar for April 2, 1990.

Rep. Naifeh moved that House Bill No. 7 be reset one week to the Calendar for Monday, April 9, 1990, which motion prevailed.

***House Bill No. 1798 -- Pensions and Retirement Benefits -- Places optional retirement program for state institutions of higher education under board of trustees instead of state board of education. Amends TCA, Title 8, Chs. 34--37.**

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Rep. Rhinehart moved that House Bill No. 1798 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Council on Pensions and Insurance Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1798 by deleting the directory and amendatory language in Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-34-150, is amended by deleting the following language and punctuation:

including, but not limited to, any person engaged in advanced training in medicine or dentistry as an intern or resident.

and by substituting instead a period (.).

AND FURTHER AMEND by adding the following language as a new Section 2 and by renumbering the subsequent sections accordingly:

SECTION 2. Tennessee Code Annotated, Section 8-35-120, is amended by inserting the following language between the words "title" and "shall" in the first sentence thereof:

and any person engaged in advanced training in medicine or dentistry as an intern or resident.

On motion, Amendment No. 1 was adopted.

Rep. Whitson moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1798 by adding the following language as a new Section 3 and by renumbering the subsequent sections accordingly:

SECTION 3. Tennessee Code Annotated, Section 8-36-209(b)(4)(A), is amended by deleting the word and figures "November 8, 1988" and by substituting instead the word and figures "July 1, 1992"; by deleting the words and figures "eight hundred forty dollars (\$840)" and by substituting instead the words and figures "one thousand two hundred dollars (\$1,200)".

On motion, Amendment No. 2 was adopted, with Reps. Austin, Bragg, Halteman, Rhinehart, Stamps and West recorded as voting no.

REGULAR CALENDAR, CONTINUED

Rep. Burnett moved to amend as follows:

Amendment No. 3

Amend House Bill No. 1798 by adding the following language as a new Section 2 and by redesignating subsequent sections accordingly:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 34, Part 6, is amended by adding a new section as follows:

A member of the general assembly may establish credit for service rendered as a member of a county quarterly court or county commission by making a lump sum payment of contributions he would have made plus interest as provided by Section 8-37-214. The benefit payable on this service shall be at the rate applicable for service as a member of the general assembly.

Rep. Rhinehart moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.	74
Noes.	11
Present and not voting.	3

Representatives voting aye were: Anderson, Austin, Bell, Bivens, Bragg, Buck, Byrd, Cain, Chiles, Clark, Coffey, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Gaia, Givens, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Stamps, Starnes, Turner, C. (Shelby), Ussery, Webb, West, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 74.

Representatives voting no were: Armstrong, Burchfield, Burnett, Callicott, Head, Pinion, Scruggs, Sipes, Turner (Hamilton), Turner, L. (Shelby), Wheeler -- 11.

Representatives present and not voting were: Good, Pruitt, Whitson -- 3.

Thereupon, Rep. Rhinehart moved that House Bill No. 1798, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	54
Noes.	38

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Burchfield, Cain, Cole, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Harrill, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Love, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nuber, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 54.

Representatives voting no were: Austin, Bragg, Buck, Burnett, Byrd, Callicott, Clark, Coffey, Collier, Copeland, Curlee, Givens, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Jackson, Kisber, McAfee, McDaniel, Niceley, Odom, Purcell, Sipes, Stamps, Starnes, Turner, C. (Shelby), West, Wolfe, Wood -- 38.

A motion to reconsider was tabled.

REMARKS

Rep. Bragg asked that the following remarks on House Bill No. 1798 be spread in the Journal.

There has been a lot of stretching going on around here but one part of the stretching I just can't stomach is the fact that I understood it said that the Council on Pension and Retirement were the ones who lackadaisically sent an amendment up here to raise the pensions of all members of the legislature. As far as I know, and I have attended every meeting I believe, I don't ever recall the Council on Pensions sending an amendment up here to raise any pensions for any member of the General Assembly and I think I'd like to have that on the record.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 1798 and have this statement entered in the Journal.

Rep. I. V. Hillis

REGULAR CALENDAR, CONTINUED

*House Bill No. 1800 -- Pensions and Retirement Benefits -- Excludes certain officials and employees of TCRS from court appearance by process; authorizes board of trustees to revise certain provisions. Amends TCA 8-24-404; Title 8, Ch. 34, Pt. 2, 8-35-401, 440, 8-36-109, 8-36-501, 8-37-104, 8-37-502, 64-1-312, 64-1-909, 64-5-115; Title 68, Ch. 2, Pt. 11.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Further consideration of House Bill No. 1800, previously considered on March 21, 1990, at which time it was reset to the Calendar for April 2, 1990.

Rep. Rhinehart moved that House Bill No. 1800 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Council on Pensions and Insurance Committee Amendment No. 1 as follows:

Amendment No. 1

SECTION 3 [of House Bill 1800] is amended by inserting the words "after review and comment by the Tennessee Consolidated Retirement System" between the words "Regents" and "before" in the second sentence of subsection (f).

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that House Bill No. 1800, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	77
Noes	14
Present and not voting	3

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Cain, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Gunnels, Harrill, Hassell, Haun, Head, Hillis, Hobbs, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nuber, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 77.

Representatives voting no were: Byrd, Callicott, Clark, Halteman, Henry (Putnam), Henry (Roane), Holt, Niceley, Odom, Purcell, Sipes, Stamps, Turner, C. (Shelby), West -- 14.

Representatives present and not voting were: Good, Herron, Holcomb -- 3.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

1800 and have this statement entered in the Journal.

Rep. Floyd Crain

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No. 1800 and have this statement entered in the Journal.

Rep. Joyce Hassell

REGULAR CALENDAR, CONTINUED

*House Bill No. 2344 -- Alcoholic Beverages -- Expands definition of "historic performing arts center" for purposes of consumption of alcoholic beverages. Amends TCA 57-4-102.

On motion, House Bill No. 2344 was made to conform with Senate Bill No. 2457.

On motion, Senate Bill No. 2457, on same subject, was substituted for House Bill No. 2344.

Rep. Hubbard moved that Senate Bill No. 2457 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Hubbard moved that Senate Bill No. 2457 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes	20
Present and not voting	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Cross, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Givens, Good, Harrill, Hassell, Haun, Head, Henry (Roane), Hillis, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Moody, Moore (Shelby), Naifeh, Niceley, Nuber, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stamps, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Yelton, Mr. Speaker Murray -- 73.

Representatives voting no were: Byrd, Crain, Curlee, Davis (Gibson), Gunnels, Halteman, Henry (Putnam), Herron, Hobbs, Jackson,

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

McAfee, McDaniel, Moore (Lawrence), Odom, Pinion, Sipes, Stallings, Turner, C. (Shelby), Wolfe, Wood -- 20.

Representatives present and not voting were: Copeland, Dixon -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to present not voting on Senate Bill No. 2457 and have this statement entered in the Journal.

Button did not take vote when pressed.

Rep. Joe Burchfield

REGULAR CALENDAR, CONTINUED

***House Bill No. 1619 -- Sunset Laws --** Extends termination date of health facilities commission. Amends TCA, Title 4, Chs. 5, 29; Title 56, Ch. 7; Title 68, Ch. 11.

Rep. King moved that House Bill No. 1619 be passed on third and final consideration.

Rep. King moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1619 by deleting Section 2 in its entirety and by substituting a new section instead, as follows:

SECTION 2. Tennessee Code Annotated, Section 4-29-211(a), is amended by adding a new item thereto, as follows:

() Health facilities commission, created by § 68-11-106;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. King moved that House Bill No. 1619, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Niceley -- 1.

A motion to reconsider was tabled.

House Bill No. 2220 -- Sunset Laws -- Extends termination date of health facilities commission. Amends TCA, Title 4, Ch. 29.

Rep. Starnes moved that **House Bill No. 2220** be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Bill No. 1256 -- Election Laws --** Requires referendum for Shelby County relative to party affiliation of candidates for public office. Amends TCA, Title 2, Ch. 13.

Further consideration of **House Bill No. 1256**, previously considered on March 21, 1990, at which time it was reset to the Calendar for April 2, 1990.

Rep. U. Jones moved that **House Bill No. 1256** be re-referred to the Calendar and Rules Committee, which motion prevailed.

***Senate Bill No. 1011 -- Alcoholic Beverages --** Authorizes retail sales by beer manufacturers in certain circumstances. Amends TCA, Title 57, Chs. 5, 6.

Further consideration of **Senate Bill No. 1011**, previously considered on March 21, 1990, at which time it was substituted for **House Bill No. 1433**, Amendment No. 1 was adopted, the bill failed for lack of a Constitutional Majority and was re-referred to the Calendar and Rules Committee. On March 28, 1990, the Calendar and Rules Committee placed it on the Calendar for April 2, 1990.

Rep. King moved that **Senate Bill No. 1011** be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 1011 by deleting from the first sentence of the amendatory language of Section 1, as amended by Amendment No. 1, all the language up to and including the colon and by substituting instead the following language:

Upon meeting necessary federal, state and local license requirements, notwithstanding the prohibition of subsection (a), a manufacturer which is located in an urban park center as defined in Section 57-4-102(22) and which produces not more than five thousand (5,000) barrels of product annually may sell its products directly to retailers, or alternatively may perform any of the following functions:

On motion, Amendment No. 2 was adopted.

Rep. King moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 1011 by deleting from the amendatory language of Section 1 the words "located in any" and substituting instead the words "located in the county town in any".

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. King moved that Senate Bill No. 1011, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	52
Noes.	33

Representatives voting aye were: Armstrong, Bittle, Bivens, Buck, Burnett, Cain, Chiles, Collier, Crain, Cross, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Haun, Head, Hillis, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Nuber, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Hamilton), Severance, Turner (Hamilton), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Yelton, Mr. Speaker Murray -- 52.

Representatives voting no were: Austin, Bell, Bragg, Burchfield, Byrd, Callicott, Clark, Coffey, Copeland, Curlee, Good, Halteman, Harrill, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, McAfee, Moody, Odom, Peroulas, Pinoin, Scruggs, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Winningham, Wolfe, Wood -- 33.

A motion to reconsider was tabled.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

House Bill No. 2645 -- Hawkins County -- Lengthens term of county attorney. Amends Chapter 123, Private Acts of 1983.

Rep. Givens moved that House Bill No. 2645 be passed on third and final consideration.

Rep. Givens moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2645 by deleting Section 1 in its entirety and by substituting instead the following language:

SECTION 1. Section 1 of Chapter 123 of the Private Acts of 1983 is amended in the first sentence by placing a period after the word "Commissioners", by deleting the remainder of the sentence, and by adding the following language:

The Board of Commissioners shall establish the term of office of the county attorney which shall be for not less than one (1) year nor more than four (4) years; provided that in no event shall the term of office extend beyond the term of office of the Commissioners.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Givens moved that House Bill No. 2645, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

PRESENT IN CHAMBER

Representative Tim Garrett was recorded as being present in the Chamber at 4:53 p.m.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1759** -- Public Funds and Financing -- Revises certain procedures for financing construction of capital projects, including correctional facilities, by local governments. Amends TCA, Title 4, Ch. 31.

On motion, House Bill No. 1759 was made to conform with Senate Bill No. 2197.

On motion, **Senate Bill No. 2197**, on same subject, was substituted for House Bill No. 1759.

Rep. Bragg moved that **Senate Bill No. 2197** be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2197 by deleting the words "projects projects" from the amendatory subsection (b)(1) of Section 7 and by substituting instead the word "projects".

AND FURTHER AMEND by deleting Section 8 in its entirety and substituting the following:

SECTION 8. Tennessee Code Annotated, Section 4-31-403, is amended by deleting the words, "correctional facilities" and "facilities" wherever found, and substituting instead the words "capital projects".

AND FURTHER AMEND by deleting from the amendatory language of subsection (b)(2) in Section 10 the words "new corrections facilities conform to American Correctional Association Standards and the Life and Safety Code for the purposes proposed for each facility and that any other construction on existing correctional facilities are in compliance with the minimum" and by substituting instead the words "corrections facilities conform with".

AND FURTHER AMEND by adding the following new sections and by renumbering the existing sections accordingly:

Section ____ . Tennessee Code Annotated, Section 4-31-409, is amended by deleting the word "facilities" and substituting instead the phrase "capital projects".

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Section ____ . Tennessee Code Annotated, Section 4-31-415, is amended by deleting the words "correctional facilities" and substituting instead the words "capital projects".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bragg moved that Senate Bill No. 2197, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

House Bill No. 0590 -- Utilities, Utility Districts -- Enacts "Utility District Purchasing Law of 1989". Amends TCA, Title 7, Ch. 82.

On motion, House Bill No. 0590 was made to conform with Senate Bill No. 1130.

On motion, Senate Bill No. 1130, on same subject, was substituted for House Bill No. 0590.

Rep. Bragg moved that Senate Bill No. 1130 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Rep. Bragg moved that **Senate Bill No. 1130** be passed on third and final consideration.

Rep. Head moved the previous question, which motion prevailed.

Rep. Bragg moved that **Senate Bill No. 1130** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	86
Noes.	6

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kernell, Kisber, Love, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 86.

Representatives voting no were: Burchfield, Henry (Putnam), Henry (Roane), Kent, Sipes, Stamps -- 6.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 1130 and have this statement entered in the Journal.

Rep. Joe Burchfield

REGULAR CALENDAR, CONTINUED

House Bill No. 1362 -- Tort Liability -- Creates presumption of reasonableness and necessity of medical expenses in certain civil actions; specifies time limit. Amends TCA, Title 62, Ch. 26.

Rep. Burnett moved that House Bill No. 1362 be reset one week to the Calendar for Monday, April 9, 1990, which motion prevailed.

House Bill No. 2170 -- Limitation of Actions -- Lengthens statute of limitations for personal injury actions based on carcinogenic x-ray treatments. Amends TCA, Title 28, Ch. 3, Pt. 1; Title 29, Ch. 28.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Rep. Burnett moved that House Bill No. 2170 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	71
Noes.	14
Present and not voting.	5

Representatives voting aye were: Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Givens, Halteman, Harrill, Hassell, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Whitson, Williams, Winningham, Wolfe, Mr. Speaker Murray -- 71.

Representatives voting no were: Anderson, Callicott, Chiles, Coffey, Duer, Gunnels, Holt, Hubbard, McAfee, Nuber, Scruggs, Stallings, Wood, Yelton -- 14.

Representatives present and not voting were: Good, Haun, Head, Love, Purcell -- 5.

A motion to reconsider was tabled.

House Bill No. 2320 -- Public Service Commission -- Authorizes enforcement officers to arrest for violations of the Drug Control Act; revises penalties. Amends TCA 65-15-106, 122.

On motion, House Bill No. 2320 was made to conform with Senate Bill No. 2096.

On motion, **Senate Bill No. 2096**, on same subject, was substituted for House Bill No. 2320.

Rep. Ussery moved that **Senate Bill No. 2096** be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 1.

Rep. Ussery moved that **Senate Bill No. 2096** be reset to the Calendar for Wednesday, April 4, 1990, which motion prevailed.

***House Bill No. 2489** -- Uniform Commercial Code -- Increases filing fee for secured transaction relative to UCC. Amends TCA, Title 47, Ch. 9, Pt. 4.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

On motion, House Bill No. 2489 was made to conform with Senate Bill No. 2498.

On motion, Senate Bill No. 2498, on same subject, was substituted for House Bill No. 2489.

Rep. Bragg moved that Senate Bill No. 2498 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	69
Noes.	26
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bivens, Bragg, Buck, Burchfield, Burnett, Cain, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Gaia, Garrett, Givens, Good, Gunnels, Hassell, Head, Henry (Putnam), Hillis, Hobbs, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, Kisber, Love, McAfee, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nuber, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 69.

Representatives voting no were: Bittle, Byrd, Callicott, Curlee, Davis (Cocke), Davis (Knox), Duer, Halteman, Harrill, Haun, Henry (Roane), Herron, Holt, Huskey, Jackson, Kent, Niceley, Odom, Peroulas, Phillips, Pinion, Scruggs, Sipes, Stallings, Stamps, Wolfe -- 26.

Representatives present and not voting were: Holcomb, McDaniel -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 2498 and have this statement entered in the Journal.

Rep. Fred Hobbs

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 2498 and have this statement entered in the Journal.

Rep. Joe Burchfield

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 2498 and have this statement entered in the Journal.

Rep. Floyd Crain

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 2498 and have this statement entered in the Journal.

Rep. Dwight Henry

CONSENT CALENDAR

House Bill No. 2613 -- County Officers -- Allows Warren County register of deeds to utilize marginal notation on mortgage, deed or other instruments. Amends TCA 66-5-108; Title 66, Ch. 21, Pt. 1; Title 66, Ch. 25, Pt. 1.

On motion, House Bill No. 2613 was made to conform with Senate Bill No. 2642.

On motion, Senate Bill No. 2642, on same subject, was substituted for House Bill No. 2613.

*House Bill No. 1753 -- DUI/DWI Offenses -- Permits participation in detox program on certain convictions of driving under influence. Amends TCA 55-10-403.

*House Bill No. 2338 -- Marriage -- Requires applicant for license under 18 to state if similar application made to another county clerk or deputy. Amends TCA, Title 36, Ch. 3, Pt. 1.

On motion, House Bill No. 2338 was made to conform with Senate Bill No. 2445.

On motion, Senate Bill No. 2445, on same subject, was substituted for House Bill No. 2338.

*House Joint Resolution No. 0608 -- Highway Signs -- Designates certain bridge on U. S. Highway 88 as the "Harris Kee Bridge".

House Bill No. 2311 -- Mines, Mining -- Changes certain regulatory provisions pertaining to strip and open pit mines and mining. Amends TCA, Title 59.

*House Bill No. 1726 -- Insurance, Motor Vehicles -- Increases number of years premium reduction is permitted for completing accident prevention course. Amends TCA 56-7-1107.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

On motion, House Bill No. 1726 was made to conform with Senate Bill No. 2058.

On motion, Senate Bill No. 2058, on same subject, was substituted for House Bill No. 1726.

***House Joint Resolution No. 0617 -- Highway Signs -- Designates State Route 296 as Max Colditz Highway.**

***House Joint Resolution No. 0618 -- Highway Signs -- Designates SR 297 as "Bruno Gernt Highway".**

***House Resolution No. 0108 -- General Assembly, Studies -- Creates joint study committee to study Tennessee Apiary Law.**

***House Resolution No. 0121 -- General Assembly, Studies -- Requests study on effects of slow moving traffic on highway safety.**

***House Resolution No. 0123 -- General Assembly, Studies -- Creates House committee to study earthquakes.**

***House Joint Resolution No. 0329 -- General Assembly, Studies -- Creates joint committee to study school drop out rate.**

***House Joint Resolution No. 0537 -- General Assembly, Studies -- Establishes committee to study requirements for planning food preparation facilities in state funded buildings.**

***House Joint Resolution No. 0643 -- General Assembly, Studies -- Continues special joint committee created by HJR 25 studying regulatory endeavors of local governments.**

***House Joint Resolution No. 0748 -- General Assembly, Studies -- Provides for study of PCB contamination of wastes of East Tennessee.**

***House Joint Resolution No. 0588 -- General Assembly, Studies -- Creates joint subcommittee to study ways to improve and expand role of community education.**

***Senate Joint Resolution No. 0455 -- General Assembly, Studies -- Creates special joint committee to study rising health care costs.**

***Senate Joint Resolution No. 0471 -- General Assembly, Studies -- Establishes special select committee to study integrated computer system for courts.**

***House Joint Resolution No. 0698 -- General Assembly, Studies -- Continues special joint committee created to study mental retardation delivery system.**

***House Bill No. 2437 -- Insurance, Fire and Casualty -- Makes appraised value of personal property covered by policy binding under certain circumstances. Amends TCA, Title 56.**

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

On motion, House Bill No. 2437 was made to conform with Senate Bill No. 2489.

On motion, Senate Bill No. 2489, on same subject, was substituted for House Bill No. 2437.

House Bill No. 1915 -- Criminal Procedure -- Permits drug prosecutions by Tennessee of persons tried in foreign state or under federal law. Amends TCA 53-11-413. Repeals TCA 53-11-404.

On motion, House Bill No. 1915 was made to conform with Senate Bill No. 2164.

On motion, Senate Bill No. 2164, on same subject, was substituted for House Bill No. 1915.

House Bill No. 2232 -- Gambling -- Includes futures and commodities trading within "lawful business transaction" exclusion to gambling laws. Amends TCA, Title 39, Ch. 17, Pt. 5.

House Bill No. 1768 -- Courts, General Sessions -- Creates new division of court and judge in the General Sessions Criminal Court Act of 1981. Amends Chapter 772, Public Acts 1982.

On motion, House Bill No. 1768 was made to conform with Senate Bill No. 1803.

On motion, Senate Bill No. 1803, on same subject, was substituted for House Bill No. 1768.

***Senate Bill No. 2010 -- Utilities, Utility Districts --** Authorizes compensation for county public utility board members in certain counties. Amends TCA 5-16-103.

House Joint Resolution No. 0798 -- Memorials, Personal Achievement -- Honors Eric Evan Speich on earning Eagle Scout award.

House Joint Resolution No. 0799 -- Memorials, Personal Occasion -- Congratulates Cynthia Miller.

House Joint Resolution No. 0800 -- Memorials, Personal Achievement -- Honors Lyle Goforth, State Muscular Dystrophy Association's Poster Child.

House Joint Resolution No. 0801 -- Memorials, Retirement -- Honors Mac K. Garbett upon his retirement.

House Joint Resolution No. 0802 -- Naming and Designating -- Declares GFWC Centennial Celebration on April 24, 1990.

House Joint Resolution No. 0803 -- Memorials, Personal Occasion -- Honors Conley and Cora Huskey on fiftieth wedding anniversary.

House Joint Resolution No. 0804 -- Memorials, Personal Occasion -- Congratulates Commissioner and Mrs. J.W. Luna on birth of daughter, Rachel.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

House Joint Resolution No. 0806 -- Memorials, Congratulations -- Congratulates Portland Middle School on 2nd Place finish at Middle Tennessee Science Olympiad.

House Joint Resolution No. 0807 -- Memorials, Personal Achievement -- Honors Kent Arnold, 1990 salutatorian of Gleason High School.

House Joint Resolution No. 0808 -- Memorials, Personal Achievement -- Honors and congratulates Kevin Lee Gallimore on attaining the rank of Eagle Scout.

House Joint Resolution No. 0809 -- Memorials, Personal Achievement -- Honors Brian Gary Fought, 1990 valedictorian of McKenzie High School.

House Joint Resolution No. 0810 -- Memorials, Personal Achievement -- Honors David Roger Fisher, Jr, 1990 salutatorian of McKenzie High School.

House Bill No. 2659 -- Lawrence County -- Establishes recycling program for government buildings and offices.

House Bill No. 2660 -- Haywood County -- Grants salary supplement to general sessions court judge.

House Bill No. 2662 -- Oneida -- Authorizes board of mayor and aldermen to establish compensation for such officials. Amends Chapter 211, Private Acts of 1917, as amended.

House Bill No. 2663 -- Oneida -- Repeals authorization of board of mayor and aldermen to establish compensation of such officials. Repeals Chapter 146, Private Acts of 1990.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 804 was objected to by Rep. Wheeler.

House Bill No. 2311 was objected to by Rep. Chiles.

House Bill No. 2232 was objected to by Rep. R. E. Davis.

Under the rules, House Joint Resolution No. 804 and House Bill No. 2311 was/were placed at the foot of the calendar for Wednesday, April 4, 1990.

Rep. Davis moved that House Bill No. 2232 be placed at the foot of the calendar for Wednesday, April 11, 1990, which motion prevailed.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

MESSAGE CALENDAR

Senate Bill No. 1854 -- Telecommunications -- Enacts "Unsolicited Telefacsimile Advertising Act".

Rep. Bragg moved that Senate Bill No. 1854 be reset to the Message Calendar for Wednesday, April 4, 1990, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 1235 -- Driver Licenses -- Provides for revocation of certain drivers' licenses.

Rep. Davis (Gibson) moved that House Bill No. 1235 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1235 by adding the following new section immediately preceding the severability clause section and by renumbering subsequent sections accordingly:

Section _____. No funds shall be obligated or expended to implement, administer or enforce the provisions of this act unless such funds are from appropriations made to the department of safety.

On motion, Amendment No. 1 was adopted.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 2

AMEND House Bill No. 1235 by deleting subsection (f) of Section 8 in its entirety.

AND FURTHER AMEND by deleting the period at the end of the first sentence in subsection (d) of Section 9 and substituting instead the following ", or the person refused a chemical analysis test".

AND FURTHER AMEND by deleting the period at the end of the first sentence in subsection (h) of Section 9 and substituting instead the following ", when the department of safety subpoenas the governmental agency's representative".

On motion, Amendment No. 2 was adopted.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 3

AMEND House Bill No. 1735 by adding in Section 1 the word "and" at the end of subsection (1) and by changing in Section 1 the semi-colon (;) to a period (.) and deleting the word "and" at the end of subsection (2) and by deleting subsection (3) of Section 1 in its entirety.

AND FURTHER AMEND by adding a new subsection to Section 5, as follows:

(e) Any notice or citation completed by an officer shall contain a signed statement by the officer that the breathalyzer, if used, was properly calibrated at the time of use.

AND FURTHER AMEND by deleting the words and figure "three (3) months" in subdivision (b)(1) of Section 6 and substituting

instead the words and figures "sixty (60) days".

AND FURTHER AMEND by deleting the words and figure "one (1) year" in subdivision (b)(2) of Section 6 and substituting the words and figure "six (6) months".

AND FURTHER AMEND by adding the following new subsection at the end of Section 6:

(d) If a person is acquitted of any charges under Section 55-10-401, the license revocation shall cease at that time.

AND FURTHER AMEND by deleting the first sentence of subsection (b) of Section 7.

in Section 10(a) of the bill as printed by inserting after the words "Davidson County" the words "or in the chancery court for the county where the arrest or offense occurred".

by redesignating Sections 13 and 14 of the printed bill to be Sections 14 and 15 and by adding a new Section 13, as follows:

SECTION 13. For the purpose of implementing the provisions of this act, the commissioner of safety is directed to apply for all applicable federal funding.

AND FURTHER AMEND by deleting from Section 14 the words and figures "July 1, 1989" and substituting instead the words and figures "January 1, 1991".

On motion, Amendment No. 3 was adopted.

Rep. Davis (Gibson) moved that House Bill No. 1235, as amended, be passed on third and final consideration.

Rep. Burnett moved the previous question, which motion prevailed.

Thereupon, Rep. Davis (Gibson) moved that House Bill No. 1235, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	67
Noes.	24
Present and not voting.	3

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Buck, Burchfield, Byrd, Cain, Callicott, Chiles, Clark, Cole, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane),

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Kent, Kernell, Kisber, McAfee, McDaniel, Niceley, Nuber, Odom, Peroulas, Phillips, Pruitt, Robinson (Davidson), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Winningham, Wolfe, Wood, Yelton -- 67.

Representatives voting no were: Armstrong, Bragg, Burnett, Collier, Davis (Knox), DeBerry, Dixon, Head, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), King, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Pinion, Purcell, Ridgeway, Robinson (Washington), Turner, L. (Shelby), Whitson, Williams, Wix -- 24.

Representatives present and not voting were: Love, Rhinehart, Robinson (Hamilton) -- 3.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on House Bill No. 1235 and have this statement entered in the Journal.

Rep. Philip Pinion

REMARKS

Rep. Brenda Turner asked that the following remarks be spread in the Journal:

I have had the unfortunate personal experience that few people have had. A known alcoholic, retired air traffic controller traveled through Tennessee on May 18, 1981. This individual had been ticketed with DUI "several" times in his life. He had not had his license removed in the past for these offenses. He entered the wrong side of I-24 at the 94 mile marker, traveling at 90 miles per hour, trooper in pursuit. He crashed into my car head on, at an approximate speed of 150 on impact. I was in ICU 58 days, had 28 pints of blood, in the hospital 4-1/2 months, had several (7) operations, walked on crutches for 2 years and now have "body" parts that only modern medicine could provide. This personal experience prevails upon me an insight that few have ever lived through to know, speak about, or vote on legislation to possibly prevent such a tragedy from happening to anyone. Yes, it's a tough bill, but the alternatives of death or a lifetime of pain are the worse of alternatives.

Brenda Kaye Turner
Representative 29th District

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Phillips moved to suspend Rule No. 49 (48-hour rule) to allow bills moved from Calendar and Rules on Tuesday and Wednesday, April 3 and 4, 1990, to be set on floor calendar(s) Wednesday and Thursday, April 4 and 5, 1990, which motion prevailed.

RULES SUSPENDED

Rep. Phillips moved to suspend Rule No. 71 relative to the distribution of Committee Amendments twenty-four hours prior to consideration, which motion prevailed.

BILLS WITHDRAWN

On motion of Rep. Buck, House Bill No. 2665 was withdrawn from the House.

On motion of Rep. Buck, House Bill No. 2669 was withdrawn from the House.

BILL REFERRED

Rep. Buck moved that House Bill No. 2661 be recalled from the State and Local Government Committee and referred to the Judiciary Committee, which motion prevailed.

RULES SUSPENDED

Rep. Buck moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill No. 2661 can be heard by the Judiciary Committee on Tuesday, April 3, 1990, which motion prevailed.

HOUSE BILL REFERRED

Rep. Buck moved that House Bill No. 1841 be recalled from the State and Local Government Committee and referred to the Judiciary Committee, which motion prevailed.

RULES SUSPENDED

Rep. Buck moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill No. 1841 can be heard by the Judiciary Committee on Tuesday, April 3, 1990, which motion prevailed.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

RULES SUSPENDED

Rep. Buck moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill No. 1572 can be heard by the Judiciary Committee on Tuesday, April 3, 1990, which motion prevailed.

BILL REFERRED

Rep. Crain moved that House Bill No. 2657 be recalled from the State and Local Government Committee and referred to the Calendar and Rules Committee, which motion prevailed.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, April 9, 1990:

House Bill No. 2364: Rep. Holt.

RULES SUSPENDED

Rep. Starnes moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that Senate Joint Resolution No. 440 can be heard by the General Welfare Committee on Wednesday, April 4, 1990, which motion prevailed.

RULES SUSPENDED

Rep. Williams moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Joint Resolution No. 595 can be heard by the Judiciary Committee on Tuesday, April 3, 1990, which motion prevailed.

RULES SUSPENDED

Rep. Davis (Gibson) moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Joint Resolution No. 766 can be heard by the Transportation Committee on Tuesday, April 3, 1990, which motion prevailed.

RULES SUSPENDED

Rep. Nuber moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that Senate Joint Resolution No. 421 can be heard by the Commerce Committee on Tuesday, April 3, 1990, which motion prevailed.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 804: Rep(s). Kisber added as prime sponsor(s).

House Bill No. 590: Rep(s). Love added as prime sponsor(s).

House Bill No. 1235: Rep(s). Austin, Byrd, Nuber, Sipes, West, Kent, Stamps, Cole, Halteman, Pruitt, McDaniel, Ussery, Hobbs, Curlee and Stallings added as prime sponsor(s).

House Bill No. 1572: Rep(s). Clark added as prime sponsor(s).

House Bill No. 2175: Rep(s). Harrell added as prime sponsor(s).

House Bill No. 2387: Rep(s). Jim Henry added as prime sponsor(s).

House Bill No. 2396: Rep(s). Stamps added as prime sponsor(s).

RULES SUSPENDED

Rep. Davis (Gibson) moved that the rules be suspended for the introduction and passage on first consideration of House Bill No. 2683, which motion prevailed.

House Bill No. 2683 -- Gibson County -- Revises provisions of utility district. Amends Chapter 192, Private Acts of 1953, as amended. by *Davis Ray.

INTRODUCTION OF RESOLUTIONS

On motion, the resolutions listed below were introduced and referred as noted.

House Resolution No. 0137 -- Memorials, Professional Achievement -- Congratulates Brian Thompson on receiving Tennessee Conservation League Instructor of the Year Award. by *Stallings.

The Speaker referred House Resolution No. 137 to the Calendar and Rules Committee.

House Resolution No. 0138 -- Memorials, Interns -- Honors Rhonda N. Kenner, 1990 legislative intern. by *Stallings, *DePriest, *Hobbs.

The Speaker referred House Resolution No. 138 to the Calendar and Rules Committee.

***House Joint Resolution No. 0811 --** Memorials, Government

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Officials -- Authorizes commissioners of Goodwyn Institute to request attorney general to file suit to alter trust regarding maintaining of library. by *King.

The Speaker referred House Joint Resolution No. 811 to the Judiciary Committee.

House Joint Resolution No. 0812 -- Memorials, Sports -- Congratulates Vanderbilt University Commodores on winning National Invitation Tournament. by *Scruggs, *Naifeh, *Murray, *Webb, *Peroulas, *Henry Jim, *Haun, *Davis J K, *Burchfield, *Burnett.

The Speaker referred House Joint Resolution No. 812 to the Calendar and Rules Committee.

House Joint Resolution No. 0813 -- Memorials, Interns -- Honors Rena Mulroy, 1990 legislative intern. by *Scruggs.

The Speaker referred House Joint Resolution No. 813 to the Calendar and Rules Committee.

House Joint Resolution No. 0814 -- Memorials, Personal Achievement -- Honors Amy Roney, 1990 valedictorian of Gleason High School. by *Herron.

The Speaker referred House Joint Resolution No. 814 to the Calendar and Rules Committee.

House Joint Resolution No. 0815 -- Memorials, Congratulations -- Congratulates Annie Ruth Sprott on becoming Certified Professional Secretary. by *Robinson Robb.

The Speaker referred House Joint Resolution No. 815 to the Calendar and Rules Committee.

House Joint Resolution No. 0817 -- Memorials, Sports -- Honors Coach David Vincent and Westmoreland High School boys' basketball team, TSSAA Region 6 A champs. by *Wix.

The Speaker referred House Joint Resolution No. 817 to the Calendar and Rules Committee.

House Joint Resolution No. 0818 -- Memorials, Sports -- Honors Coach Rick Miller and Trousdale County Junior Jackets, Class AA Tops in Tennessee Tournament Championship. by *Wix.

The Speaker referred House Joint Resolution No. 818 to the Calendar and Rules Committee.

House Joint Resolution No. 0819 -- Memorials, Public Service -- Commends FAA flight examiner Evelyn Bryan Johnson. by *Moody.

The Speaker referred House Joint Resolution No. 819 to the Calendar and Rules Committee.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

House Joint Resolution No. 0820 -- Memorials, Interns -- Honors Christine Ragan, 1990 legislative intern. by *Peroulas, *Severance.

The Speaker referred House Joint Resolution No. 820 to the Calendar and Rules Committee.

House Joint Resolution No. 0821 -- Memorials, Interns -- Honors Ethan Earl Hamby, 1990 legislative intern. by *Givens, *Yelton.

The Speaker referred House Joint Resolution No. 821 to the Calendar and Rules Committee.

House Joint Resolution No. 0822 -- Memorials, Personal Achievement -- Congratulates Brian Younce on election as University of Tennessee Student Association President. by *Wheeler, *Cross.

The Speaker referred House Joint Resolution No. 822 to the Calendar and Rules Committee.

House Joint Resolution No. 0823 -- Memorials, Public Service -- Commends Edna Jo Alexander on community service. by *Pruitt, *Love, *Turner L, *DeBerry, *Jones R, *Jones U.

The Speaker referred House Joint Resolution No. 823 to the Calendar and Rules Committee.

House Joint Resolution No. 0824 -- Memorials, Personal Achievement -- Commends Rachel Woods, member of Hume-Fogg debating squad. by *Pruitt, *West, *Armstrong, *Odom, *Haltzman, *Purcell, *Clark, *Love.

The Speaker referred House Joint Resolution No. 824 to the Calendar and Rules Committee.

House Joint Resolution No. 0825 -- Memorials, Personal Achievement -- Commends Kristina Gill, member of Hume-Fogg debating squad. by *Pruitt, *West, *Armstrong, *Odom, *Haltzman, *Clark, *Purcell, *Love.

The Speaker referred House Joint Resolution No. 825 to the Calendar and Rules Committee.

House Joint Resolution No. 0826 -- Memorials, Congratulations -- Honors Alameda Christian Church on 50th anniversary. by *Pruitt, *West, *Jones U, *King, *Love, *Turner L, *Jones R, *DeBerry.

The Speaker referred House Joint Resolution No. 826 to the Calendar and Rules Committee.

House Joint Resolution No. 0827 -- Memorials, Public Service -- Commends Elks for work for blind and visually impaired. by *Pruitt, *West, *Jones U, *King, *Love, *Dixon, *Turner L, *Jones R, *DeBerry.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

The Speaker referred House Joint Resolution No. 827 to the Calendar and Rules Committee.

House Joint Resolution No. 0828 -- Memorials, Recognition -- Honors work of Black Health Care Task Force. by *Dixon, *Pruitt, *Jones U, *Turner L, *Jones R, *Love, *King, *DeBerry.

The Speaker referred House Joint Resolution No. 828 to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0555 -- Memorials, Personal Occasion -- Congratulates Mr. and Mrs. Milton H. Hamilton, III on the birth of Milton H. Hamilton, IV.

The Speaker referred Senate Joint Resolution No. 555 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0558 -- Memorials, Professional Achievement -- Congratulates Debbie Lawson, Lincoln County's Distinguished Classroom Teacher of 1989-1990.

The Speaker referred Senate Joint Resolution No. 558 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0559 -- Memorials, Professional Achievement -- Congratulates Linda C. Hyde on coaching the winning Fairview High School National Engineering team.

The Speaker referred Senate Joint Resolution No. 559 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0561 -- Memorials, Personal Achievement -- Congratulates Richard A. McCall on obtaining rank of Eagle Scout.

The Speaker referred Senate Joint Resolution No. 561 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0565 -- Memorials, Public Service -- Honors R. M. McKay, Sr. on service to state.

The Speaker referred Senate Joint Resolution No. 565 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0566 -- Memorials, Public Service -- Honors Buford Dreaden on outstanding service to Tennessee.

The Speaker referred Senate Joint Resolution No. 566 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0568 -- Memorials, Interns -- Commends Sonya Goad, 1990 legislative intern.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

The Speaker referred Senate Joint Resolution No. 568 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0582 -- Memorials, Sports -- Congratulates Jennifer Azzi, 1990 Naismith Award winner.

The Speaker referred Senate Joint Resolution No. 582 to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

***Senate Joint Resolution No. 0517** -- General Assembly, Confirmation of Appointment -- Confirms appointment of Earnest Deavenport, Jr. to State Board of Education.

The Speaker referred Senate Joint Resolution No. 517 to the Calendar and Rules Committee.

***Senate Joint Resolution No. 0518** -- General Assembly, Confirmation of Appointment -- Confirms appointment of John Rankin Morgan to State Board of Education.

The Speaker referred Senate Joint Resolution No. 518 to the Calendar and Rules Committee.

***Senate Joint Resolution No. 0521** -- General Assembly, Confirmation of Appointment -- Confirms appointment of Nancy Overton to State Certification Commission.

The Speaker referred Senate Joint Resolution No. 521 to the Calendar and Rules Committee.

***Senate Joint Resolution No. 0522** -- General Assembly, Confirmation of Appointment -- Confirms appointment of Musette Sprunt Morgan to State Board of Education.

The Speaker referred Senate Joint Resolution No. 522 to the Calendar and Rules Committee.

***Senate Joint Resolution No. 0532** -- Highway Signs -- Provides for directional signs to Memphis Area Vocational Technical School on I-40.

The Speaker referred Senate Joint Resolution No. 532 to the Transportation Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration.

House Bill No. 2672 -- Gallatin -- Revises duties and compensation of mayor. Amends Chapter 67, Private Acts of 1953, as amended. by *Wix, *Stamps.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Passed first consideration.

House Bill No. 2673 -- Gallatin -- Establishes aldermanic districts. Amends Chapter 67, Private Acts of 1953, as amended. by *Wix, *Stamps.

Passed first consideration.

House Bill No. 2674 -- Election Laws -- Requires only computer printout at polling place in lieu of both printout and duplicate registration records if requested by resolution of county legislative body of Carroll or Weakley County. Amends TCA 2-5-216. by *Herron, *Pinion, *Ridgeway.

Passed first consideration.

House Bill No. 2675 -- Bradley County -- Abolishes mobile home regulation. Repeals Chapter 244, Private Acts of 1984. by *Bivens.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

On motion, the Senate Bills listed below, transmitted to the House were held on the Clerk's desk as noted.

***Senate Bill No. 1254 -- Motor Vehicles, Titling and Registration -- Authorizes special license plates for "street rods". Amends TCA, Title 55, Ch. 4, Pt. 2.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 1159.

***Senate Bill No. 1641 -- Flags -- Prohibits manufacturing or selling state flag not in compliance. Amends TCA 4-1-301, 8-3-104.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 2001.

Senate Bill No. 1723 -- Sunset Laws -- Extends termination date of Tennessee film, entertainment, and music commission. Amends TCA, Title 4, Chs. 3, 29; Title 7, Ch. 59.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 1611.

***Senate Bill No. 1866 -- County Officers -- Establishes Tennessee Peace Officers' Hall of Fame Board. Amends TCA, Title 4.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 1941.

***Senate Bill No. 1907 -- Health -- Requires health care providers to provide copy of medical records to certain persons upon request.**

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

Held on the Clerk's desk pending third consideration of companion House Bill No. 2248.

Senate Bill No. 2350 -- Historical Sites -- Revises law on discovery, excavation, and disposition of certain remains. Amends TCA, Title 11, Ch. 6.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2129.

Senate Bill No. 2515 -- Taxes, Excise -- Provides for state taxation of certain banking operations. Amends TCA 45-2-1202; Title 67, Ch. 4, Pts. 8, 9.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2424.

Senate Bill No. 2639 -- Taxes, Real Property -- Authorizes county trustee of Dyer County to accept partial payments of property taxes in certain circumstances. Amends TCA, Title 67, Ch. 5, Pt. 18.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2608.

Senate Bill No. 2655 -- White Pine -- Extends term of office of mayor and aldermen. Amends Chapter 309, Private Acts of 1915, as amended.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2626.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted.

House Bill No. 2664 -- Lake County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2666 -- Gallatin -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2667 -- Madison County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2668 -- Anderson County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2670 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

House Bill No. 2671 -- Smith County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
April 2, 1990**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2664, 2668 and 2671.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
April 2, 1990**

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Wednesday, April 4, 1990:** House Resolution(s) No(s). 137 and 138; House Joint Resolution(s) No(s). 812, 813, 814, 815, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827 and 828; House Bill(s) No(s). 2664, 2668 and 2671; also, Senate Joint Resolution(s) No(s). 555, 558, 559, 561, 565, 566, 568 and 582.

PHILLIPS, Chairman.

**SIGNED
April 2, 1990**

The Speaker announced that he had signed the following: House Bill(s) No(s). 1604, 1802, 1803, 1975, 2227, 2345, 2428, 2509, 2513, 2615, 2629, 2633, 2642, 2643, 2647, 2648, and 2650; House Joint Resolution(s) No(s). 514, 596, 597, 692, 718, 719, 720, 721, 722, 723, 725, 745, 746, 747, 749, 750, 751, 752, 753, 754, 755, 756 and 784; also, House Resolution(s) No(s). 134 and 136.

**BETTY KAY FRANCIS,
Chief Engrossing Clerk.**

**SIGNED
April 2, 1990**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1609, 1634, 1661, 1848, 1898, 1999, 2087, 2110, 2160, 2226 and 2494; also, Senate Joint Resolution(s) No(s). 459, 550, 553 and 587.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

ENGROSSED BILLS

April 2, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1619, 1798, 1800 and 2645; also, House Joint Resolution(s) No(s). 816; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 2, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 492, 525, 569 and 570; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution No. 0492 --** General Assembly, Studies -- Continues special joint committee created by SJR 40 studying delivery system for alcohol and drug abuse prevention and treatment services.

***Senate Joint Resolution No. 0525 --** Memorials, Government Officials -- Encourages purchase and study of recycled plastics.

Senate Joint Resolution No. 0569 -- Memorials, Interns -- Commends Melissa Anne Olmstead, 1990 legislative intern.

Senate Joint Resolution No. 0570 -- Memorials, Public Service -- Commemorates 200th anniversary of Southwest Territory.

MESSAGE FROM THE SENATE

April 2, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2434, 2491, 2667 and 2678; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 2434 --** District Attorneys -- Creates additional district attorney general position for 16th judicial district. Amends TCA 16-2-506.

Senate Bill No. 2491 -- Metropolitan Government -- Changes officers to be appointed by metropolitan airport authorities. Amends TCA, Title 42, Ch. 4.

Senate Bill No. 2667 -- Utilities, Utility Districts -- Provides

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

for popular election of board of commissioners of certain utility districts in Gibson County. Amends TCA, Title 7.

Senate Bill No. 2678 -- Election Laws -- Requires only computer printout at polling place in lieu of both printout and duplicate registration records if requested by county legislative body by resolution of Tipton, Dyer, Fayette or Crockett counties. Amends TCA 2-5-216.

**MESSAGE FROM THE SENATE
April 2, 1990**

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2041; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
April 2, 1990**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 527, 620, 678, 681, 695, 758, 760, 761, 762, 763 and 764; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ENGROSSED BILLS
April 2, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1753, 2170, 2659, 2660, 2662 and 2663; also, House Joint Resolution(s) No(s). 329, 537, 588, 608, 617, 618, 643, 698, 748, 798, 799, 800, 801, 802, 803, 806, 807, 808, 809 and 810; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENGROSSED BILLS
April 2, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1235; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MONDAY, APRIL 2, 1990 -- EIGHTY-FIFTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

April 2, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1798 and 2436; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1850; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gala, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

On motion of Rep. Naifeh, the House adjourned until 2:00 p.m., Wednesday, April 4, 1990.